

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

JASON T. BARRETT,
Plaintiff,

v.

Civil No. 3:20cv337 (DJN)


D. CALHOUN, *et al.*,
Defendants.

MEMORANDUM OPINION

On June 25, 2020, the Court conditionally docketed Plaintiff Jason T. Barrett's ("Plaintiff") action. (ECF No. 2.) Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on August 31, 2020, pursuant to 28 U.S.C. § 1915(b)(1), the Court directed Plaintiff to pay an initial partial filing fee of \$6.40 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. (ECF No. 6.) Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action under Federal Rule of Civil Procedure 41(b). Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

Let the Clerk file a copy of this Memorandum Opinion electronically and send a copy to Plaintiff.

/s/ 
David J. Novak
United States District Judge

Richmond, Virginia
Dated: October 29, 2020